

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AYMAN ELANSARI,

Plaintiff,

v.

**LIBERTY MUTUAL INSURANCE
COMPANY, *et al.*,**

Defendants.

Case No. 2:19-cv-03404-JDW

MEMORANDUM

Ayman Elansari wants the Court to reconsider its decision dismissing this case for lack of subject matter jurisdiction. When Mr. Elansari filed his Amended Complaint in this case, he named several defendants who are from Pennsylvania, just like he is. He does not dispute that fact. Instead, he now claims that Liberty Mutual Insurance Company is the “lead defendant” in the case.

Mr. Elansari’s argument suffers one fatal flaw. When it comes to determining diversity jurisdiction under 28 U.S.C. § 1332, federal law does not recognize the concept of a “lead” defendant. Instead, it is well settled, and has been for more than 200 years, that Section 1332 requires “complete diversity between all plaintiffs and all defendants.” *Lincoln Property Co. v. Roche*, 546 U.S. 81, 89 (2005) (citing *Strawbridge v. Curtiss*, 3 Cranch 267, 2 L.Ed. 435 (1806)). Thus, the Court cannot focus only on diversity between Mr. Elansari and Liberty Mutual. Instead, the Court must look to diversity between Mr. Elansari, on the one hand, and all defendants, on the other hand.

Mr. Elansari's arguments to the contrary rest on his misunderstanding of this fundamental aspect of federal law. The Court sympathizes with his confusion. Navigating federal jurisdiction as a lawyer can be challenging. Doing so *pro se* could be a herculean task. But that does not excuse the Court's obligation to monitor its own jurisdiction and to exercise only the jurisdiction that Congress has conferred. Mr. Elansari remains free to pursue his claims in the Pennsylvania Court of Common Pleas. While he suggests that doing so will cost him time and money, the Court cannot consider those equitable factors in determining its jurisdiction. His Motion is therefore denied.

BY THE COURT:

/s/ Joshua D. Wolson
JOSHUA D. WOLSON, J.

April 20, 2020